

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK**

In re:

ABSOLUT FACILITIES MANAGEMENT,  
LLC, et al.,<sup>1</sup>

Debtors.

EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION,

Plaintiff,

- against -

ABSOLUT FACILITIES MANAGEMENT,  
LLC, ABSOLUT CENTER FOR NURSING  
AND REHABILITATION AT ALLEGANY,  
LLC, ABSOLUT CENTER FOR NURSING  
AND REHABILITATION AT AURORA  
PARK, LLC, ABSOLUT CENTER FOR  
NURSING AND REHABILITATION AT  
GASPORT, LLC, ABSOLUT AT  
ORCHARD BROOKE, LLC, ABSOLUT  
CENTER FOR NURSING AND  
REHABILITATION AT ORCHARD PARK,  
LLC, ABSOLUT CENTER FOR NURSING  
AND REHABILITATION AT THREE  
RIVERS, LLC, ABSOLUT AT THREE  
RIVERS, LLC, and ABSOLUT CENTER  
FOR NURSING AND REHABILITATION  
AT WESTFIELD, LLC,

Defendants.

Chapter 11

Case No. 19-76260-ast  
Case No. 19-76263-ast  
Case No. 19-76267-ast  
Case No. 19-76268-ast  
Case No. 19-76269-ast  
Case No. 19-76270-ast  
Case No. 19-76271-ast  
Case No. 19-76272-ast

(Jointly Administered)

Adversary Proceeding No. 20-08055-ast

**STIPULATION AND ORDER**

<sup>1</sup> The Debtors are: Absolut Facilities Management, LLC; Absolut Center for Nursing and Rehabilitation at Allegany, LLC; Absolut Center for Nursing and Rehabilitation at Aurora Park, LLC; Absolut Center for Nursing and Rehabilitation at Gasport, LLC; Absolut at Orchard Brooke, LLC; Absolut Center for Nursing and Rehabilitation at Orchard Park, LLC; Absolut Center for Nursing and Rehabilitation at Three Rivers, LLC; and Absolut Center for Nursing and Rehabilitation at Westfield, LLC.

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for the parties to this adversary proceeding, that:

1. Defendants' time to answer or move with respect to the Complaint is hereby extended through June 5, 2020.
2. The full balance of the Settlement Fund (as defined in the Complaint) shall remain segregated until final resolution of this adversary proceeding.
3. Pending final resolution of this adversary proceeding, Defendants shall not distribute, dissipate, or otherwise transfer any portion of the Settlement Fund.
4. Pending final resolution of this adversary proceeding, Defendants shall further furnish to Plaintiff copies of monthly statements for M&T Bank Account No. ending 7673, within seven days of receipt.
5. As Absolut at Three Rivers, LLC is not a Debtor, and in fact not an entity that was ever incorporated, the parties hereby stipulate to the dismissal of the Complaint as against it, pursuant to Rule 41(a)(1)(A)(ii), and the caption of this adversary proceeding shall be amended to remove Absolut at Three Rivers, LLC as a Defendant.

[Signature Page to Follow]

Accepted and agreed:

Dated: April 13, 2020  
Central Islip, New York

RICHARD P. DONOGHUE  
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Eastern District of New York  
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Central Islip, New York 11722

/s/ Megan J. Freismuth  
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*Attorneys for the Plaintiff*


Dated: April 13, 2020  
New York, New York

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*Attorneys for the Defendants*

So ordered:

Dated: April 20, 2020  
Central Islip, New York



  
Alan S. Trust  
United States Bankruptcy Judge